

**IN THE UNITED STATES DISTRICT COURT FOR
THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

**IN RE RC2 CORP. TOY LEAD PAINT
PRODUCTS LIABILITY LITIGATION**

Case No. 07 cv 7184

MDL No. 1893

**DECLARATION OF ELIZABETH A. FEGAN IN SUPPORT OF
PLAINTIFFS' REPLY IN SUPPORT OF THEIR MOTION FOR PRELIMINARY
INJUNCTION PURSUANT TO THE ALL WRITS ACT**

I, Elizabeth A. Fegan, under penalties of perjury, state as follows:

1. I am a partner at Hagens Berman Sobol Shapiro, LLP, am one of the attorneys appointed by this Court as Interim Co-Lead Counsel for the Putative Class, and have full knowledge of the matters stated herein.
2. Meet and confers regarding discovery issues were held between Interim Co-Lead Counsel and defense counsel on numerous dates, including but not limited to on November 15 and 21, 2007, December 27, 2007, and on January 10, 18, 24, and 25, 2008. Moreover, defense counsel Judy Okenfuss left me a voicemail message on December 7, 2007 to discuss "discovery issues relating to the Thomas cases and also specifically to discuss ...the notice of [30(b)(6) depositions," and we subsequently spoke regarding these issues on or about December 10, 2007. Finally, the first time defense counsel mentioned that they intended to seek a stay of the MDL proceedings was on January 25, 2008.
3. On December 14, 2007, RC2 produced documents bates-stamped RC2-11-000-0000001 to RC2-11-000-00001113. On December 21, 2007, RC2 produced documents bates-stamped RC2-01-000-0004025 to 4033 and RC2-01-003-0000377 to 386 and RC2-01-005-0000003 to 20.

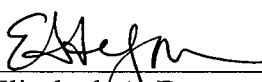
4. Attached hereto are true and correct copies of the following exhibits:

| Exhibit | Document Title |
|---------|---|
| 1. | Judicial Panel on Multidistrict Litigation Docket Entry Report for <i>In re RC2 Corp. Toy Lead Paint Prods. Liab. Lit.</i> , MDL 1893 |
| 2. | E-mail dated October 17, 2007 sent by Judy Okenfuss to William Riley, Fred Fox, Laurence King, Beth Fegan, Christine Fox, Jamie Kendall, and Joe Williams |
| 3. | "Around Town," Chicago Daily Law Bulletin (10/19/07) |
| 4. | RC2's Initial Disclosures Under FRCP 26(a)(1) |
| 5. | First Request for Production of Documents To Defendants RC2 Corp., Learning Curve Brands, Inc. |
| 6. | E-mail dated 11/8/07 from Beth Fegan to Bart Murphy |
| 7. | E-mail dated 11/13/07 from Beth Fegan to Bart Murphy |
| 8. | E-mail dated 11/13/07 from Bart Murphy to Beth Fegan |
| 9. | First Set of Requests To Admit To Defendants Pursuant to Fed. R. Civ. P. 36 |
| 10. | E-mail dated 11/17/07 from Bart Murphy to Beth Fegan |
| 11. | E-mail dated 11/17/07 from Beth Fegan to Bart Murphy |
| 12. | Defendants' First Set of Requests For Production To All Plaintiffs |
| 13. | 30(b)(6) Notice of Depositions to Defendants |
| 14. | Letter dated 12/10/07 from Beth Fegan to Bart Murphy, James Petersen and Judy Okenfuss |
| 15. | Defendants' Objections and Responses to Plaintiffs' First Request for Production of Documents |
| 16. | Named Plaintiffs' Objections and Responses to Defendants' First Set of Requests For Production To All Plaintiffs |
| 17. | Defendants' Response to Plaintiffs' First Set of Requests To Admit to Defendants Pursuant to Fed. R. Civ. P. 36 |
| 18. | Docket for <i>Norem v. RC2 Corp.</i> , No. CGC-07-465859 (Sup. Ct. Cal., San Francisco Cty) as of February 4, 2008 |
| 19. | Docket for <i>Wood v. RC2 Corp.</i> , No. 07-CA-002275 (Leon Cty, Fla.) as of February 4, 2008 |
| 20. | Docket for <i>Lombana v. RC2 Corp.</i> , No. BER-L-7701-07 (Bergen Cty, NJ) as of February 6, 2008 |

| Exhibit | Document Title |
|----------------|--|
| 21. | Docket for <i>Word v. RC2 Corp.</i> , No. CT-004360-07 (Shelby Cty, Tenn.) as of February 1, 2008 |
| 22. | Letter dated 2/1/08 from Beth Fegan to Defendants and State Court Counsel, requesting access to certain documents |
| 23. | Letter dated 2/4/08 from State Court Counsel Jay Edelson refusing request for access to documents |
| 24. | Letter dated 12/13/07 from Judy Okenfuss to Beth Fegan |
| 25. | E-mail dated 12/13/07 from Beth Fegan to Judy Okenfuss |
| 26. | Letter dated 12/14/07 from Judy Okenfuss to Beth Fegan |
| 27. | E-mail dated 11/21/07 from Bart Murphy to Beth Fegan (THIS EXHIBIT FILED UNDER SEAL) |
| 28. | Second E-mail dated 11/21/07 from Bart Murphy to Beth Fegan (THIS EXHIBIT FILED UNDER SEAL) |
| 29. | Court Call Lookup from the Law Bulletin Information Network indicating court hearing before Judge Maki on January 22, 2008 at 2:00 p.m. in <i>Barrett v. RC2 Corp.</i> |
| 30. | Transcript of Proceedings excerpt from January 29, 2008 hearing before Judge Maki in <i>Barrett v. RC2 Corp.</i> |

I declare under penalties of perjury that the foregoing is true and correct.

Dated February 13, 2008


 Elizabeth A. Fegan